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Richard G. Lione, Reg. No. 19,795

Name of applicant, assignee or

Registered Representative

/Richard G. Lione/

Signature

June 3, 2009

Date of Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Yasuyoshi Ueda et al.

Appln. No.: 10/501,669

Filed: January 7, 2005

For: UBIQUINOL-ENRICHED  
FAT-CONTAINING FOODS

Attorney Docket No: 5404/80

Examiner: Tristan J. Mahyera

Art Unit: 1615

Confirmation No.: 2338

## FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98,  
and more particularly in accordance with 37 CFR §1.97(c), Applicant hereby cites the  
following reference(s):

FOREIGN PATENT DOCUMENTS		
DOCUMENT NO.	DATE	COUNTRY
WO 98/43617	10/08/1998	WIPO

OTHER ART – NON PATENT LITERATURE DOCUMENTS	
Extended European Search Report on EP 09 15 4846.1, dated April 24, 2009, 8 pages.	
XP 022517673 for Kubo, Hiroshi et al. "Food Content of Ubiquinol-10 and Ubiquinone-10 in the Japanese Diet," <i>Journal of Food Composition and Analysis</i> , Academic Press, London, GB, Vol. 21, No. 3, 12 pages.	
XP 002523298 for Mattila, Pirjo et al. "Coenzymes Q <sub>9</sub> and Q <sub>10</sub> : Contents in Foods and Dietary Intake," <i>Journal of Food Composition and Analysis</i> , Vol. 14, No. 4, 9 pages.	
XP 002082210 for Duell, P. Barton "Prevention of Atherosclerosis with Dietary Antioxidants: Fact or Fiction?" <i>Journal of Nutrition</i> , Wistar Institute of Anatomy and Biology, Philadelphia, PA, U.S., Vol. 126, No. 4S, 5 pages.	

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 CFR §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

The Applicant or Applicants certifies under 37 CFR §1.97(e)(1) that each item of information in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference). Accordingly, Applicant has calculated no fee to be due in connection with the filing of this Information Disclosure Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Information Disclosure Statement to a deposit account, as authorized in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

June 3, 2009

Date

/Richard G. Lione/

Richard G. Lione  
(Reg. No. 19,795)